

UNITED STATES
FOREIGN INTELLIGENCE SURVEILLANCE COURT
WASHINGTON, D.C.

2013 JUL 12 PM 4:22

LEEANN FLYNN HALL
CLERK OF COURT

IN RE ORDERS ISSUED BY THIS COURT
INTERPRETING SECTION 215 OF THE
PATRIOT ACT

Case No. Misc. 13-02

**CERTIFICATION OF BAR MEMBERSHIP AND
SECURITY CLEARANCE STATUS**

Pursuant to the Court's Order of June 14, 2013, and United States Foreign Intelligence Surveillance Court Rules of Procedure 7(h)(1), 7(i), and 63, the American Civil Liberties Union ("ACLU") and the Media Freedom and Information Access Clinic at Yale Law School (together, "Movants") respectfully submit the following information:

Bar Membership Information

Undersigned counsel for Movants are licensed attorneys and members, in good standing, of the bars of United States district and circuit courts. *See* FISA Ct. R.P. 7(h)(1), 63.

Alex Abdo is a member, in good standing, of the following federal courts: the Supreme Court of the United States; the United States Courts of Appeals for the First, Second, Fourth, and District of Columbia Circuits; and the United States District Court for the Southern District of New York. He is licensed to practice law by the bar of the State of New York.

Brett Max Kaufman is a member, in good standing, of the following federal courts: the United States Court of Appeals for the Second Circuit; and the United States District Court for the Southern District of New York. He is licensed to practice law by the bar of the State of New York.

Patrick Toomey is a member, in good standing, of the following federal courts: the United States District Courts for the Eastern and Southern Districts of New York. He is licensed to practice law by the bars of the States of Massachusetts and New York.

Jameel Jaffer is a member, in good standing, of the following federal courts: the Supreme Court of the United States; the United States Courts of Appeals for the Second, Fourth, Sixth, Ninth, and District of Columbia Circuits; and the United States District Courts for the Eastern and Southern Districts of New York, and the Eastern District of Michigan. He is licensed to practice law by the bar of the State of New York.

Arthur Spitzer is a member, in good standing, of the following federal courts: the Supreme Court of the United States; the United States Courts of Appeals for the Armed Forces and the Fourth, District of Columbia, and Federal Circuits; and the United States District Courts for the District of Columbia, District of Maryland, and the Eastern and Southern Districts of New York. He is licensed to practice law by the bars of the District of Columbia and the State of New York.

David Schulz is a member, in good standing, of the following federal courts: the Supreme Court of the United States; the United States Courts of Appeals for the Second, Third, Fourth, Ninth, Tenth and District of Columbia Circuits; and the United States District Courts for the District of Columbia, and for all Districts of the State of New York. He is licensed to practice law by the bars of the District of Columbia and the State of New York.

Security Clearance Information

Pursuant to FISA Ct. R.P. 7(i), Movants certify that Arthur Spitzer holds a “Secret” security clearance issued by the Department of Justice.

Because Movants' motion does not seek the release of properly classified information, and because the motion and the related briefing does not contain classified information, Movants respectfully submit that all undersigned counsel may participate in proceedings on the motion without access to classified information or security clearances. *See* FISA Ct. R.P. 63 (requiring counsel only to have "appropriate security clearances").

Dated: July 12, 2013

David A. Schulz
Media Freedom and Information Access Clinic
Yale Law School
40 Ashmun Street, 4th Floor
New Haven, CT 06511
Phone: (203) 436-5892
Fax: (203) 436-0851
david.schulz@yale.edu

Respectfully submitted,

/s/ Alex Abdo

Alex Abdo
Brett Max Kaufman
Patrick Toomey
Jameel Jaffer
American Civil Liberties Union Foundation
125 Broad Street, 18th Floor
New York, NY 10004
Phone: (212) 549-2500
Fax: (212) 549-2654
aabdo@aclu.org

Arthur B. Spitzer
American Civil Liberties Union of the
Nation's Capital
4301 Connecticut Avenue, N.W., Suite 434
Washington, DC 20008
Phone: (202) 457-0800
Fax: (202) 457-0805
artspitzer@aclu-nca.org

CERTIFICATE OF SERVICE


I, Alex Abdo, certify that on this day, July 12, 2013, a copy of the foregoing certification was served on the following persons by the methods indicated:

By email and UPS overnight delivery

Christine Gunning
Litigation Security Group
U.S. Department of Justice
2 Constitution Square
145 N Street, N.E.
Suite 2W-115
Washington, DC 20530
Email: Christine.E.Gunning@usdoj.gov

By UPS overnight delivery

John P. Carlin
J. Bradford Wiegmann
Tashina Gauhar
Jeffrey M. Smith
Nicholas J. Patterson
U.S. Department of Justice
National Security Division
950 Pennsylvania Ave., N.W.
Washington, DC 20530
Phone: (202) 514-5600



Alex Abdo